

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION**

**RACHEL CLARK, CHRISTOPHER GARRETSON,
AMANDA SHARP BURKHOLDER, NICOLE
HALLER NAVA, BRANDI O'HARA, ASHLEY
FENTON PRICE, AND CHARLA BEAUMONT
VIENS, INDIVIDUALLY AND AS NEXT FRIEND
OF H.B., A MINOR**

PLAINTIFFS

v.

CASE NO. 2:17-CV-2091-TLB

**KURT KNICKREHM, RICHARD WEISS,
DEBBIE WILLIAMS, DICK PICKARTS,
NIKKOLE HURST, CAROL GILLIS,
PATSY CHASE, ROBBIE MCKAY, AND
LISA GARRETSON**

DEFENDANTS

**BRIEF IN SUPPORT OF MOTION TO DISMISS
BY SEPARATE DEFENDANT DEBBIE WILLIAMS**

Separate Defendant Debbie Williams respectfully submits this brief in support of her motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). The Complaint as asserted against Williams fails for the same reasons that it should be dismissed as asserted against the other defendants. Accordingly, Williams joins, adopts, and incorporates by reference the briefs in support of the motions to dismiss filed by the other defendants (DE 13 and 17) pursuant to Fed. R. Civ. P. 10(c).

In a hearing held on August 24, 2017, the Court agreed with Defendants that the Plaintiffs' original and proposed amended complaints contained a number of pleading deficiencies. But the Court granted the Plaintiffs leave to file an amended complaint to cure the pleading deficiencies identified by the Court by November 3,

2017. (DE 45). Williams believes that, because the Court agrees that the original Complaint fails to meet federal pleading standards, the Court should, at a minimum, dismiss the Complaint without prejudice.

CONCLUSION

For these reasons, along with the reasons fully explained in the other defendants' motions to dismiss and briefs in support, the Court should dismiss Plaintiffs' Complaint as asserted against Williams.

Respectfully submitted,

LESLIE RUTLEDGE
Attorney General

By: /s/ Jennifer L. Merritt
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Attorneys for Separate Defendant Debbie Williams

CERTIFICATE OF SERVICE

I, Jennifer L. Merritt, do hereby certify that on this 22nd day of September, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF filing system, which shall send notification of the filing to any participants.

/s/ Jennifer L. Merritt

Jennifer L. Merritt